The fertilizer Industry has responded positively towards the New Investment Policy by initiating investment decision for revamp/expansion of existing capacities.

IFFCO-Aonla-I and II, IFFCO-Phulpur-I and II, Chambal Fertilizers and Chemicals Limited (CFCL) - Gadepan-I and II, Nagarjuna Fertilizers and Chemicals Limited (NFCL) - Kakinada-I and II and the unit of Tata Chemicals Limited - Babrala have informed regarding additional production of urea after revamp. Further, RCF, Thal; KRIBHCO-Hazira and NFL, Vijaipur have undertaken revamp of their units.

Six companies *viz.* IFFCO, KRIBHCO, Rashtriya Chemicals and Fertilizers Limited, INDO-GULF Fertilizers Limited, TATA Chemicals Limited and Chambal Fertilizers and Chemicals Limited have requested for firm availability of gas for taking final investment decision to undertake expansion of their existing units.

There is no change in the MRP of Urea since march 2002. The urea units are allowed 12% post tax return on capital employed in the costed year for arriving at the retention price before group averaging. The return allowed is not dependent on MRP of urea It is based on costed year capital employed/networth of the units.

The Government has taken various measures to encourage efficiency and safeguard the interest of urea producing units. Under NPS-III, pre-set energy norms have been notified for all the urea units. Savings in energy consumption achieved by the urea units with respect to pre set energy norms are incentivized by payment at the weighted average basic rate of inputs consumed.

Sale of sub-standard and spurious fertilizers

†1720. SHRI AMIR ALAM KHAN: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether sub-standard and spurious fertilizers are being sold with brand names in different States;

(b) if so, the details thereof;

(c) the action taken by Government in this regard;

(d) whether Government proposes to provide good quality fertilizers in different States; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT JENA): (a) to (e) No, Sir. The State Governments, as the enforcement agencies, are adequately empowered under Clause 26, 27 and 28 of Fertiliser Control Order, 1985 as given in Statement (*See* below) to take appropriate action against any offender who indulges in any kind of malpractices including sale of sub-standard and spurious fertilizers.

†Original notice of the question was received in Hindi.

Statement

The Fertiliser (Control) Order 1985

VII. Enforcement Authorities

Clause. 26: **Appointment of registering authority**

The State Government may, by notification in the Official Gazette, appoint such number of persons, as it thinks necessary, to be registering authorities for the purpose of this Order and may, in any such notification define the limits of local area within which each such registering authority shall exercise his jurisdiction.

Clause. 27: **Appointment of inspectors**

The State Government, or the Central Government may, by notification in the Official Gazette appoint such number of persons, as it thinks necessary, to be inspectors of fertilizers for the purpose of this Order, any may, in any such notification, define the limits of local area within which each such inspector shall exercise his jurisdiction.

Clause. 28: **Powers of inspectors**

(1) An inspector may, with a view to securing compliance with this order:-

(a) require any manufacturer, importer, pool handling agency, wholesale dealer or retail dealer to give any information in his possession with respect to the manufacture, storage and disposal of any fertilizer manufactured or, in any manner handled by him:

(b) draw samples of any fertilizer in accordance with the procedure of drawal of samples laid down in Schedule-II.

Provided that the inspector shall prepare the sampling details in duplicate in Form J, and hand over one copy of the same to the dealer or his representative from whoM the sample has been drawn;

(c) enter upon and search any premises where any fertilizer is manufactured/ imported or stored or exhibited for sale, if he has reason to believe that any fertilizer has been or is being manufactured/imported, sold, offered for sale, stored, exhibited for sale or distributed contrary to the provisions of this Order;

(d) seize or detain any fertilizer in respect of which he has reason to believe that a contravention of this Order has been or is being or is attempted to be committed:

(e) seize any books of accounts or documents relating to manufacture, storage or sale of fertilizers, etc. in respect of which he has reason to believe that any contravention of this Order has been or is being or is about to be committed;

Provided that the inspector shall give a receipt for such fertilizers or books of accounts or documents so seized to the person from whom the same have been seized;

Provided further that the books of accounts or documents so seized shall be returned to the person from whom they were seized after copies thereof or extracts therefrom as certified by such person, have been take.

(2) Subject to the proviso to paragraphs (d) and (e) of Sub-clause (1), the provisions of the Code of Criminal Procedure, 1973 (2 of 1974) relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

- Provided also that the inspector shall give the stop sale notice in writing to the person whose stocks have been detained and initiate appropriate action as per the provisions of this order within a period of twenty one days. If no action has been initiated by the inspector within the said period of twenty one days from the date of issue of the said notice, the notice of stop sale shall be deemed to have been revoked.

(3) Where any fertilizer is seized by an inspector under this clause, he shall forthwith report the fact of such seizure to the collector whereupon the provisions of sections 6A, 6B, 6C, 6D and 6E of the Act, shall apply to the custody, disposal and confiscation of such fertilizers.

(4) Every person, if so required by an inspector, shall be bound to afford all necessary facilities to him for the purpose of enabling him to exercise his powers under sub-clause (1).

Compensation to Bhopal gas tragedy victims

†1721. MISS ANUSUIYA UIKEY: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether compensation has been given to all the wards affected by the gas tragedy in Bhopal city of Madhya Pradesh;

(b) if so, the details of wards and the total amount of compensation provided to them;

(c) if not, the number of wards yet to be given compensation; and

(d) whether any proposal has been received from the State Government of Madhya Pradesh in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT JENA): (a) Yes, compensation has been given after due adjudication to the claimants of 56 wards in Bhopal City, who proved that they were affected by MIC gas.

†Original notice of the question was received in Hindi.